REMARKS

The Office Action dated January 2, 2003 has been received and carefully noted. The following remarks, are submitted as a full and complete response thereto.

Claims 9, 11, 13, and 15-17 were rejected under 35 U.S.C. §102(e) as being anticipated by Heikkinen (U.S. Patent No. 5,719,857). The Applicant traverses the rejection and respectfully submits that claims 9, 11, 13, and 15-17 recite subject matter that is neither disclosed nor suggested by Heikkinen.

Claim 9, upon which claims 10-16 are dependent, recites a transmitter for transmitting RF data in an RF communication network using a plurality of carrier frequencies. The RF data is represented by an information signal at a selectable carrier frequency. The transmitter comprises a data splitter arranged to receive the information signal modulated onto an intermediate frequency lower than the carrier frequency. Two transmitter paths each have an input connected to the data splitter and each have a frequency converter arranged to upconvert the intermediate frequency modulated signal to a respective carrier frequency. The carrier frequency is individually selectable for each transmitter path. The transmitter is configured such that for each of the two transmitter paths, when an information signal is being transmitted on that transmitter path, the carrier frequency for transmission on the other transmitter path is being selected, such that, in each case, the carrier frequency being selected for a channel is distinct from a previous carrier frequency at which that channel is transmitted.

Claim 17 recites a method for transmitting RF data in an RF communication network using a plurality of carrier frequencies. The method comprises the steps of receiving in a first time slot, an information signal modulated at an intermediate frequency lower than a carrier frequency on which the information signal is to be transmitted. The carrier frequency for transmission and up converting the intermediate frequency to said carrier frequency is selected. The information signal on a first transmitter path using the carrier frequency is transmitted. At the same time, a second transmitter path is tuned to a second carrier frequency to be used for transmission of an information signal in a second time slot.

As a result of the claimed invention, the intermediate frequencies reduce interference and phase distortion of the signals in the transmitter path. This enables a power combiner to provide a low level of isolation within the power combiner easily and inexpensively. The configuration of the data splitter and the two transmitter paths are such that one transmitter path branch of the present invention replaces expensive switches which are normally needed to provide isolation. The Applicant submits that the prior art fails to disclose or suggest the claimed invention, and therefore, fails to provide the critical and non-obvious advantages that are provided by the invention.

Heikkinen discloses a method an apparatus for implementing frequency-hopping in a base station. The base station transmits a second signal modulated by the same base band data signal on a certain carrier frequency, which second signal is divided in the time domain into several time slots. Each time slot transmits the same information as the first

signal, except the time slot which transmits the common control channel of the base band equipment. The carrier frequency is changed time-slot specifically so that the frequency is either the same as, or different from the carrier frequency.

The Applicant respectfully submits that Heikkinen fails to disclose the claimed features of the invention. Claim 9 recites that a data splitter is arranged to receive an information signal modulated onto an intermediate frequency lower than the carrier frequency. Claim 17 recites receiving in a first time slot an information signal modulated at an intermediate frequency lower than a carrier frequency on which the information signal is to be transmitted. That is, in the present invention, an intermediate frequency is used with the data signal before data is split to different transmission paths. In contrast, Heikkinen discloses that the base band signal is split at the base band signal divider. Further, Heikkinen does not disclose an intermediate frequency modulated signal. As such, the reference also fails to disclose a frequency converter arranged to up convert the intermediate frequency modulated signal to a respective carrier frequency. Accordingly, Heikkinen fails to disclose at least each and every feature of the invention as recited in claims 9, 11, 13, and 15-17.

Claims 10, 12, and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Heikkinen in view of Durtler et al. (U.S. Patent No. 5,438,683, "Durtler"). The Office Action took the position that Heikkinen discloses many of the claimed elements of the invention with the exception of attenuation means and means for controlling the adjustable attenuation means. Durtler was cited for curing these

deficiencies. The Applicant traverses the rejection and respectfully submits that claims 10, 12 and 14 recite subject matter that is neither disclosed nor suggested by the combination of Heikkinen and Durtler.

Heikkinen is discussed above. Durtler discloses an automatic level control circuit for cellular telephone transmitters which is compatible with both existing analog cellular service and next generation digital TDMA service. Durtler further discloses attenuation means in transmitter for use in a TDMA system. The Applicant submits that Durtler fails to cure the deficiencies in Heikkinen

Claims 10, 12 and 14 depend from claim 9. As discussed above, Heikkinen does not disclose the features of the invention as recited in claim 9. Durtler fails to cure the deficiencies in Heikkinen with respect to claim 9, as Durtler also does not disclose changing a nozzle internal resin pressure preset value. Accordingly, the combination of Heikkinen and Durtler fails to disclose or suggest the features of the invention as recited in claim 9, and therefore dependent claims 10, 12 and 14.

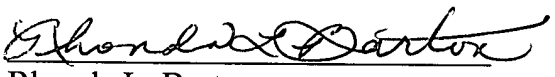
Claims 9-17 are pending. Claims 10-16 depend from claim 9. The Applicant respectfully submits that claims 10-16 are allowable for their dependency from allowable base claim 9, as well as for the additional subject matter recited therein. As discussed above, 9, 11, 13, and 15-17 were rejected as anticipated in view of Heikkinen, and claims 10, 12, and 14 were rejected as obvious in view of the combination of Heikkinen and Durtler. However, none of the references either singly or in combination disclose or suggest the use of an intermediate frequency as recited in the claims. As such, the

Applicants respectfully request allowance of claims 9-17 and the prompt issuance of a Notice of Allowability.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the Applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



Rhonda L. Barton
Registration No. 47.271

Customer No. 32294
SQUIRE, SANDERS & DEMPSEY LLP
14TH Floor
8000 Towers Crescent Drive
Tysons Corner, Virginia 22182-2700
Telephone: 703-720-7800
Fax: 703-720-7802

RLB:lls

Enclosures: Copy of Filed Revocation and New Power of Attorney